

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LATOSHANN THOMPSON,

Plaintiff,

vs.

MARY FINNEGAN, SUSAN
WOLLENBURG, JON THOMPSON,
JENNIFER GRIFFIN, JENNIFER TIGH
DE SOTO, and DEANNA
ARMSTRONG,

Defendants.

8:20CV70

MEMORANDUM AND ORDER

Plaintiff Latoshann Thompson filed this case on February 20, 2020 and was granted leave to proceed in forma pauperis. The court conducted an initial review of Plaintiff's Complaint ([filing 1](#)) pursuant to 28 U.S.C. § 1915(e)(2), and entered a Memorandum and Order on May 29, 2020 ([filing 7](#)), finding that the Complaint failed to establish either "federal question" or "diversity of citizenship" subject matter jurisdiction. On its own motion, the court gave Plaintiff leave to file an amended complaint that clearly sets forth a basis for the court's jurisdiction.

Plaintiff filed an Amended Complaint on June 17, 2020, reasserting her claims of medical malpractice. ([Filing 8](#).) The court has carefully reviewed the Amended Complaint and concludes that the action should be dismissed for lack of subject matter jurisdiction at this time. Even giving Plaintiff's pleading the most liberal interpretation possible, there is no claim alleged that arises under a federal statute, the Constitution, or treaties of the United States. *See* 28 U.S.C. § 1331 ("federal question" jurisdiction). Because Plaintiff still seeks to sue non-diverse Defendants in this action, it is also clear that "diversity of citizenship" jurisdiction under 28 U.S.C. § 1332 does not exist in this case. Thus, for the same reasons

outlined in the court's May 29, 2020 Memorandum and Order, the court will dismiss this matter without prejudice for lack of subject matter jurisdiction.

IT IS THEREFORE ORDERED that this action is dismissed without prejudice for lack of subject matter jurisdiction. Judgment shall be entered by separate document.

Dated this 18th day of June, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge